

2/8/79 -- mjw

ORDINANCE NO. 28-79

An ordinance providing for the moving of buildings in the City of North Canton, Ohio, and the requirements and procedure for obtaining a permit therefor and amending Part Thirteen of the Code of Ordinances of the City of North Canton by the addition of Chapter 1305, and declaring it to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.01 Permit to Move Building to read as follows:

"CHAPTER 1305

Moving of Buildings

1305.01 PERMIT TO MOVE BUILDING.

When any building mover shall desire to move any building, he shall apply to the Division of Permits and Inspection for a permit to do so."

Section 2. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.02 Building to be Inspected to read as follows:

"1305.02 BUILDING TO BE INSPECTED.

Before the above permit is issued and within forty eight (48) hours of application therefor, the Superintendent of Permits and Inspection and/or Chief Enforcement Official shall cause such building to be inspected."

Section 3. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.03 Moving of a Building on the Public Streets to read as follows:

"1305.03 MOVING OF A BUILDING ON THE PUBLIC STREETS.

Each moving of a building on the public streets must have its own permit. The route and method of moving must be prescribed by the City Engineer and all damages to wires or other public service property must be paid for by the person moving the buildings. The permit fee is twenty five (\$25.00) dollars and an additional charge of ten (\$10.00) dollars for each day in excess of one or portion of a day such building is on the public streets."

Section 4. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.04 Equipment for Moving Buildings to read as follows:



"1305.04 EQUIPMENT FOR MOVING BUILDINGS.

All equipment for moving buildings, except that provided with rubber treads, shall, during its use on streets, be provided with means to prevent the picking up of asphalt from the pavements. If the City Engineer shall find that such means are not in use when necessary, or are ineffective, he shall immediately order the work stopped until the necessary precautions are taken to prevent damage."

Section 5. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.05 Revoking Permit to read as follows:

"1305.05 REVOKING PERMIT.

The Superintendent of Permits and Inspection, upon recommendation of the City Engineer, may revoke the permit of any building mover not complying with the above provisions."

Section 6. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.06 Obtaining a Permit from the City to read as follows:

"1305.06 OBTAINING A PERMIT FROM THE CITY.

Before a permit will be issued to any person, firm or corporation for the moving of any building or part thereof the application for the permit shall be accompanied by a certified check of \$1,000.00 or a bond in the amount of \$1,000.00 payable to the City of North Canton, Ohio. In addition, before said permit is issued, the person, firm or corporation shall execute an indemnification agreement to be approved by the City of North Canton Law Department in favor of the City of North Canton, Ohio, so as to save and hold said City harmless against any and all liabilities, claims, losses, damages, costs and expenses which may in any way accrue against the City because of negligence of the applicant or failure to comply with the provisions of this ordinance by such applicant or his, their, or its agents, servants or employees. As a further condition, said person, firm or corporation shall provide proof of insurance to the City of North Canton, Ohio, as to amount and coverage, which proof shall be subject to the approval of the Law Department of the City of North Canton, Ohio."


Section 7. That Part Thirteen -- Building Code of the Code of Ordinances of the City of North Canton, be, and is hereby amended by the addition of Chapter 1305 Moving of Buildings, Section 1305.07 Moving any Building Without a Permit to read as follows:

"1305.07 MOVING ANY BUILDING WITHOUT A PERMIT.

Any person moving any building as provided in Section 1305.01 without a permit shall be stopped by the Superintendent of Permits and Inspection and/or Chief Enforcement Official."

Section 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and peace of the City of North, Ohio, and immediately necessary for the timely establishment of the procedures and requirements for the moving of buildings, inasmuch, as the prior legislation authorizing said procedures has been repealed and shall take effect and be in force upon its adoption by the Mayor.

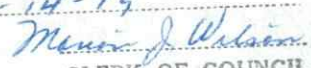
North Canton, Ohio  
Adopted: February 12, 1979

  
MAYOR

SIGNED: February 13, 1979

ATTEST:

  
CLERK OF COUNCIL

Published in THE SUN by
THE STARK COUNTY SUN, INC.
DATES: <u>2-14-79</u>
 CLERK OF COUNCIL